

## **Exhibit 2**

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: TERRORIST )  
ATTACKS ON SEPTEMBER ) 03-MDL-1570  
11, 2001 ) (GBD)(SN)  
\_\_\_\_\_ )

THURSDAY, JANUARY 24, 2019

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CONFIDENTIALITY REVIEW

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Videotaped 30(b)(6) deposition of  
Ammar H. Kamel, held at the offices of DLA  
Piper Spain, Paseo de la Castellana, 35 -2º  
28046, Madrid, Spain, commencing at 9:32  
a.m., on the above date, before Carrie A  
Campbell, Registered Diplomate Reporter,  
Certified Realtime Reporter, Illinois,  
California & Texas Certified Shorthand  
Reporter, Missouri & Kansas Certified Court  
Reporter

- - -

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<p>1       A. -- yes, this is my 2       understanding. 3       Q. Yes? 4       A. Uh-huh. 5       Q. And was -- based on the 6       investigation that you performed to prepare 7       for your testimony today, was Mr. Bayoumi 8       seconded from the PCA to work on the ANSS 9       project?</p> <p>10      A. The documents clearly says 11      that, yes.</p> <p>12      Q. And before his secondment, was 13      Mr. Bayoumi an employee of the PCA?</p> <p>14      A. The documents show that he, on 15      his own statement, in his application to US 16      international university, he was saying -- 17      which was at 1960 -- '96, he said that he was 18      an employee with the PCA since 1977, and he 19      progressed in a couple of positions until the 20      '80s.</p> <p>21      And then my understanding from 22      another document, that he was at that -- in 23      the States in '94 doing some studies. And 24      when he send this application, he was just 25      applying to another university. So he's</p>	<p>1       PCA for the ANS -- I will call it the 2       ANS. I won't call it the ANSS, all 3       right? I have difficulty saying the 4       second S. So if I say ANS, it's the 5       ANSS. 6       So the scope of work says that 7       the person that joins for the ANS 8       project, they become one team, and 9       this is the team for PCA. And they 10      work on -- under the guidance and 11      control of PCA. So at all times 12      they're PCA subordinates, although to 13      facilitate and to do our part of the 14      contract, you will find the 15      letterheads and the paperwork, which 16      is my main responsibility as well as 17      the recruitment, it will hold Dallah's 18      name. 19      But there are plenty of 20      documents that says those people work 21      under the control of PCA. PCA says 22      what are their positions. PCA says 23      the job descriptions, their salaries, 24      who gets to leave, when do they leave, 25      who gets -- whatever administrative</p>
<p style="text-align: center;">Page 23</p> <p>1       stating that he was an employee of the PCA 2       since 1977.</p> <p>3       Q. So he was an employee of the 4       PCA since 1977, you said?</p> <p>5       A. This is what the application 6       that he filled says.</p> <p>7       Q. And the PCA is the Kingdom of 8       Saudi Arabia's Presidency of Civil Aviation?</p> <p>9       A. Yes.</p> <p>10      Q. So it's a part of the Kingdom 11      of Saudi Arabia, the government, right?</p> <p>12      A. I cannot say legally what -- I 13      really don't know, but it is an entity that 14      is related to -- I mean, it's not a private 15      company.</p> <p>16      Q. It's a governmental entity?</p> <p>17      A. Yeah. But how the legalities 18      of that, I do not know.</p> <p>19      Q. And during -- based on your 20      investigation, during his secondment, did 21      Mr. Bayoumi become a Dallah Avco employee?</p> <p>22      MR. KRY: Objection.</p> <p>23      THE WITNESS: All the 24      employees, if you read the contract, 25      it's -- they're with the team of the</p>	<p style="text-align: center;">Page 25</p> <p>1       employee thinks -- how it comes from 2       the PCA. So we only do administrative 3       work and paperwork on that.</p> <p>4       QUESTIONS BY MR. HAEFELE:</p> <p>5       Q. So is there any context in 6       which --</p> <p>7       A. Is there any what?</p> <p>8       Q. Is there any context in which 9       Mr. Bayoumi was an employee of Dallah Avco?</p> <p>10      MR. KRY: Objection to form, 11      and also it's an ambiguous question.</p> <p>12      QUESTIONS BY MR. HAEFELE:</p> <p>13      Q. Is there any way in which 14      Mr. Bayoumi would be considered an employee 15      of Dallah Avco?</p> <p>16      MR. KRY: Same objection.</p> <p>17      THE WITNESS: He came to -- he 18      was a PCA employee. They instructed 19      us to second him under the project, 20      and that's -- so he was alongside with 21      all the other 1,400 people of the 22      project. 23      So he's always an ANS employee 24      under the contract which Dallah was 25      handling, and those people had a</p>

7 (Pages 22 to 25)

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<p>1 something -- something like that. What is 2 it? What's that, an inch?</p> <p>3 MR. NITZ: Probably a 3- or 4 4-inch binder.</p> <p>5 THE WITNESS: Okay. 3-inch? 6 4-inch?</p> <p>7 MR. NITZ: 3 or 4.</p> <p>8 QUESTIONS BY MR. HAEFELE:</p> <p>9 Q. All right. So two 3- or 4-inch 10 binders?</p> <p>11 A. Yeah.</p> <p>12 Q. Two binders that are 3 or 4 13 inches long?</p> <p>14 A. And one small one.</p> <p>15 Q. All right. Other than those 16 binders that you reviewed over the past two 17 or three days, did you review any other 18 information that is the basis of any 19 information you're here to testify about?</p> <p>20 A. No.</p> <p>21 Q. Did you ask to have access to 22 any information that you were unable to -- 23 for some reason to access?</p> <p>24 A. No.</p> <p>25 Q. Do you feel that you've been</p>	<p>1 And at some point of time in 2 '94 he was in the States. The documents 3 doesn't say why he went there, but first 4 document that appears is that coming from PCA 5 to Avco Overseas saying to pay his education 6 fees and invoice it to the ANS 3.</p> <p>7 After that documents show that 8 he will come to the ANS -- I'm not sure which 9 number, is it -- was it 4 or 3, but -- and 10 the secondment through the employment that 11 Dallah was providing to the project, and then 12 he lasted there for, I think, 2000.</p> <p>13 And in 2000 when he exceeded 14 the number of allowed secondments that were 15 allowed by their policies, we see 16 instructions telling us to keep his hire but 17 enter a status of education leave for two 18 years. Afterwards, when it ended, he was 19 terminated. And from my understanding, he 20 remained with PCA even afterwards.</p> <p>21 So this is the Omar Bayoumi 22 history that I am aware of.</p> <p>23 Q. What's the difference between 24 ANSS 1, 2, 3, 4, et cetera?</p> <p>25 A. It's just the periods. I mean,</p>
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<p>1 given adequate access to sufficient 2 information to prepare yourself for the 3 deposition?</p> <p>4 A. I've given access to all these 5 documents. I can't define what sufficient 6 means when you say "sufficient," but I think 7 it clearly shows content that is -- that 8 we're asking about or talking about.</p> <p>9 So I can't say if there's 10 something out of that that is sufficient. I 11 mean, I can't -- I see enough information in 12 regards of the person we're talking about, 13 but other than that, I don't -- I didn't feel 14 that there's something for me that is needed 15 or sufficient that was not there.</p> <p>16 Q. Based on your investigation, 17 what is the relationship that existed between 18 Omar Al-Bayoumi and Dallah Avco?</p> <p>19 A. Well, based on the -- what I've 20 told you and the doc -- which is all coming 21 from the documents, it's clear from the 22 documents that Omar Al-Bayoumi was an 23 employee with PCA since 1977, progressing 24 through a couple of positions, I mean, like a 25 regular guy would do.</p>	<p>1 it's contract with -- on the three years 2 period. So when Dallah start doing this -- 3 from my understanding, it was already ongoing 4 before work to Dallah. I'm not sure how many 5 years.</p> <p>6 But when Dallah was awarded it 7 in -- sometime in the '80s, so -- and it 8 continued until 2005, and it was renewed -- 9 not renewed. It was awarded, let's say, 10 attended and awarded every three years. And 11 after each three years, some companies, as 12 well as Dallah, will bid again and some 13 will -- in our case, Dallah got awarded. And 14 at the end of each project, the project will 15 be closed and hand over. And we again -- so 16 it's like a new project.</p> <p>17 So -- so -- and they call it 1, 18 2, 3, 4, 5. This is my understanding. 19 (Kamel Exhibit 106 marked for 20 identification.)</p> <p>21 QUESTIONS BY MR. HAEFELE:</p> <p>22 Q. So I'm showing you a document 23 that's been labeled for purposes of this 24 deposition as Kamel 106. This is a document 25 that was e-mailed to us by your -- Mr. Kry</p>

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<p>1 Underneath that is Dallah Trans Arabia?</p> <p>2 A. No. Dallah Trans Arabia used</p> <p>3 to be Dallah Avco. In the '70s, there was a</p> <p>4 joint venture or partnership between</p> <p>5 Dallah -- it wasn't called Dallah Al</p> <p>6 Baraka -- Dallah, and Prince Ahmed bin Hamman</p> <p>7 {phonetic} and Avco. So that created Dallah</p> <p>8 Avco.</p> <p>9 Q. So what you are the executive</p> <p>10 director now is --</p> <p>11 A. Of course.</p> <p>12 Q. The entity you are now the</p> <p>13 executive director of is what formerly was</p> <p>14 Dallah Avco?</p> <p>15 A. Exactly.</p> <p>16 Q. And you have also -- during</p> <p>17 this same time period, generally since</p> <p>18 September 2007 to the present, you have been</p> <p>19 president -- system president of Dallah Al</p> <p>20 Baraka?</p> <p>21 A. Yes.</p> <p>22 Q. During the time period that</p> <p>23 Mr. Bayoumi was seconded to work on the ANSS</p> <p>24 project, where were you in employment --</p> <p>25 A. And he was seconded since,</p>	<p>1 A. Correct.</p> <p>2 Q. What is the business, or what</p> <p>3 was the business, of Dallah Avco during the</p> <p>4 time period that Mr. Bayoumi was seconded to</p> <p>5 Dallah Avco?</p> <p>6 MR. KRY: Objection. Beyond</p> <p>7 the scope, I think.</p> <p>8 THE WITNESS: I don't know. I</p> <p>9 wasn't there. But from my</p> <p>10 understanding now, that one of the</p> <p>11 things that they were doing is the ANS</p> <p>12 project. I'm sure that maybe they</p> <p>13 were doing -- my general knowledge of</p> <p>14 this, that they were doing operation</p> <p>15 and maintenance. But that's it, it's</p> <p>16 just general information.</p> <p>17 QUESTIONS BY MR. HAEFELE:</p> <p>18 Q. What was Dallah Avco's business</p> <p>19 with regard to the ANSS project?</p> <p>20 A. As stated in the contract,</p> <p>21 they -- their -- the contract -- they provide</p> <p>22 ground services, this is what the contract</p> <p>23 says, and they recruit personnel for the</p> <p>24 project, depending on criterias and job</p> <p>25 descriptions that are coming from the PCA,</p>
<p>1 what, '95 until 2002? From '95 until 2000 I</p> <p>2 was in Halawani Brothers, which also is a</p> <p>3 company -- is a food processing company,</p> <p>4 which Dallah Baraka at that point of time had</p> <p>5 the share of 81 percent. Now it's a public</p> <p>6 company.</p> <p>7 Q. Is it fair to say that during</p> <p>8 that time period you were general manager at</p> <p>9 Halawani Brothers and then assistant to</p> <p>10 chairman of the board at Al-Jazira Holding</p> <p>11 Company?</p> <p>12 A. No, I was -- I became the</p> <p>13 general manager of Halawani in '97. So</p> <p>14 before that, in '95, I was assistant general</p> <p>15 manager.</p> <p>16 End of 1999, I left Halawani</p> <p>17 and went back to the group, and I stayed</p> <p>18 there -- I mean, different positions, as it</p> <p>19 shows here, and I had the position at general</p> <p>20 manager of -- it was general manager --</p> <p>21 Q. Let me interrupt you just to</p> <p>22 clarify something.</p> <p>23 You were not at Dallah Avco at</p> <p>24 all during the time period that Mr. Bayoumi</p> <p>25 was seconded, right?</p>	<p>1 and they carry on the logistics of getting</p> <p>2 those people.</p> <p>3 And then they -- after that,</p> <p>4 they process the paperwork and play a role,</p> <p>5 let's say, of a paymaster. They make sure</p> <p>6 that the -- the employees are being paid,</p> <p>7 take care of the paperwork of leaves,</p> <p>8 vacations, loans, whatever things of that</p> <p>9 nature.</p> <p>10 So this is the purpose of that.</p> <p>11 Q. I want to break that down. I</p> <p>12 want to make sure I got everything.</p> <p>13 A. Okay.</p> <p>14 Q. One of the -- I think you</p> <p>15 indicated that Dallah Avco, under the ANSS</p> <p>16 contract, provided operation and maintenance?</p> <p>17 A. Not --</p> <p>18 MR. KRY: Misstates testimony.</p> <p>19 THE WITNESS: Not --</p> <p>20 QUESTIONS BY MR. HAEFELE:</p> <p>21 Q. I'm asking. I'm asking it for</p> <p>22 correction.</p> <p>23 A. I'll rephrase it.</p> <p>24 I think they do three main</p> <p>25 things: First of all, the finance,</p>

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<p>1 because -- not -- this comes -- last thing,  2 they do the recruitment. I mean, the PCA  3 needed specialized personnel, so we -- Dallah  4 Avco will do the recruitment of those people  5 based on criteria that is given them from the  6 PCA.</p> <p>7 The PCA will have the final  8 say, acceptance or no. Then those people,  9 some of them will be local, some of them will  10 be foreigners. You will process the  11 logistical part of bringing the foreigners  12 and where will they house or stuff like that,  13 and then you proceed with the paperwork for  14 these employees.</p> <p>15 So this is the main three  16 categories that Dallah Avco was doing.</p> <p>17 Q. All right. So the three things  18 are finance, recruitment and paperwork?</p> <p>19 A. Yes.</p> <p>20 And the contract says that all  21 the personnel that are furnished in the scope  22 of contract, all the personnel that are  23 furnished by the contractor, which is Dallah  24 Avco, work under the guidance and control of  25 the PCA. It says that explicitly, and it</p>	<p>1 through the engineering department.  2 So there's letter of that  3 saying it explicitly.</p> <p>4 Q. And have you seen that letter  5 in the documents that --</p> <p>6 A. Yes, I have.</p> <p>7 Q. -- that you looked at?</p> <p>8 A. Yes.</p> <p>9 MR. HAEFELE: Has that been  10 produced?</p> <p>11 MR. KRY: We can. We'll have  12 to check with the witness which one,  13 but we can do that at the break.</p> <p>14 MR. HAEFELE: Thank you.</p> <p>15 QUESTIONS BY MR. HAEFELE:</p> <p>16 Q. The contract that Dallah had  17 with the PCA -- first off, the contract  18 you're talking about is a contract with the  19 PCA, correct?</p> <p>20 A. Yes.</p> <p>21 Q. Between Dallah and the PCA?</p> <p>22 A. Yes.</p> <p>23 Q. Or Dallah Avco and the PCA?</p> <p>24 A. Yes.</p> <p>25 Q. And the performance of that</p>
<p>1 says the -- for one team, which is the team  2 of the project of the PCA, and work with  3 those people.</p> <p>4 And it even goes to the extent  5 that says that Dallah's project people, who  6 are taking project -- care of the project  7 from Dallah's side, cannot go visit the sites  8 until scheduled and given approvals to visit  9 those sites.</p> <p>10 And it says that those people  11 are working with air navigation systems and  12 equipment, and these things are confidential,  13 and Dallah should not try to get any  14 information or anything.</p> <p>15 I mean, once the employee is  16 given to the project -- and even there's a  17 letter stating that -- we are not supposed to  18 communicate with them. There's a letter  19 coming from the director of the engineering  20 to the chairman of Dallah Avco, Abdullah  21 Kamel, says that all of Dallah's people who  22 are original Dallah people should not  23 communicate, and no circulations of, you  24 know, papers or anything, and absolutely have  25 no communication with PCA personnel except</p>	<p>1 contract, was it for tasks to be done in the  2 Kingdom of Saudi Arabia?</p> <p>3 A. You'd understand that, yes, but  4 it doesn't -- it doesn't limit that to this.  5 It says anything that is requested as to work  6 with the sites of the project, but then I  7 think there are parts to do with training  8 because there is a letter coming from -- how  9 do you call alhukumii {phonetic}? What is  alhukumii?</p> <p>10 MR. HASHIM: The government  11 control department.</p> <p>12 THE WITNESS: This is a very  13 high-ranking office which controls all  14 the spending of the government, so  15 there's a letter coming from this  16 government control. It's like an  17 auditor, I think --</p> <p>18 MR. HASHIM: Yeah, auditor.</p> <p>19 THE WITNESS: Auditor, yeah?  20 -- auditor who audits  21 ministries and send to the PCA talking  22 about some students -- it says  23 students -- that were supposed to get  24 some training and that the project,</p>

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<p>1       A. Yes. Yeah, of course.</p> <p>2       Q. And you had indicated that one</p> <p>3       of the other aspects of the ANSS contract</p> <p>4       with Dallah Avco, or the contract for the</p> <p>5       ANSS project, was to perform recruitment,</p> <p>6       right?</p> <p>7       A. It's a major part.</p> <p>8       Q. Pardon me?</p> <p>9       A. It's a major part, yes.</p> <p>10      Q. It is a major part.</p> <p>11      And how would Dallah Avco go</p> <p>12      about recruiting individuals, personnel, for</p> <p>13      the ANSS project?</p> <p>14      A. It's -- it states in the</p> <p>15      contract -- I mean, there's a part where it</p> <p>16      states recruitment plan, and it states -- it</p> <p>17      has four categories, and it states that you</p> <p>18      will take the specifications or the criteria</p> <p>19      or the job descriptions of people who need to</p> <p>20      be recruited, and you go to recruitment --</p> <p>21      and go over to recruit them. I mean, this is</p> <p>22      what it says.</p> <p>23      But in the last one also it</p> <p>24      says process urgent requests. So sometimes</p> <p>25      the requests will be coming from the PCA</p>	<p>1       THE WITNESS: I don't know. I</p> <p>2       don't know.</p> <p>3       QUESTIONS BY MR. HAEFELE:</p> <p>4       Q. How many people worked on the</p> <p>5       ANSS project?</p> <p>6       A. I understand 1,400.</p> <p>7       Q. And is that 1,400 throughout</p> <p>8       the whole time or 1,400 at any given time?</p> <p>9       A. I don't know if that was each</p> <p>10      period or this was the overall. My</p> <p>11      understanding that it was at any given time,</p> <p>12      but I might be wrong.</p> <p>13      Q. And of those 1,400, how many</p> <p>14      Dallah Avco -- or strike that.</p> <p>15      Of those 1,400, how many of the</p> <p>16      ANSS personnel worked in the United States?</p> <p>17      A. I don't know.</p> <p>18      Q. Were there any?</p> <p>19      A. I'm not aware of anybody -- in</p> <p>20      the documents, I don't know of anybody</p> <p>21      working in the States except Bayoumi.</p> <p>22      Q. All right. So as far as you</p> <p>23      know, from the information you have based on</p> <p>24      your investigation, Mr. Bayoumi was the only</p> <p>25      ANSS personnel who was working from the</p>
<p>1       Page 59</p> <p>2       maybe on a time basis urgency or maybe on a</p> <p>3       specific need urgency. So it clearly states</p> <p>4       that some of the recruitment will be urgently</p> <p>5       requested and need to be attended.</p> <p>6       Q. During the period that</p> <p>7       Mr. Bayoumi was seconded to the ANSS project,</p> <p>8       what was Dallah Avco's revenue under the ANSS</p> <p>9       project?</p> <p>10      MR. KRY: Objection. Beyond</p> <p>11      scope.</p> <p>12      THE WITNESS: I don't know. I</p> <p>13      have no idea.</p> <p>14      QUESTIONS BY MR. HAEFELE:</p> <p>15      Q. Was it a significant amount or</p> <p>16      insignificant amount? Was it large?</p> <p>17      MR. KRY: Same objection, and</p> <p>18      also objection to form.</p> <p>19      THE WITNESS: I really don't</p> <p>20      know.</p> <p>21      QUESTIONS BY MR. HAEFELE:</p> <p>22      Q. During the period that</p> <p>23      Mr. Bayoumi was seconded to the ANSS project,</p> <p>24      how many people worked for Dallah Avco?</p> <p>25      MR. KRY: Objection. Beyond</p>	<p>1       Page 61</p> <p>2       United States?</p> <p>3       A. This is the information in</p> <p>4       documents, yes.</p> <p>5       Q. Within Dallah Avco, do you</p> <p>6       understand or can you tell me what the</p> <p>7       meaning of the word "department" is?</p> <p>8       MR. KRY: Objection to form.</p> <p>9       THE WITNESS: Department?</p> <p>10      QUESTIONS BY MR. HAEFELE:</p> <p>11      Q. Yeah. If I'm looking at one of</p> <p>12      the Dallah Avco forms, and I see the term</p> <p>13      "department" --</p> <p>14      MR. KRY: Objection to form.</p> <p>15      Sorry.</p> <p>16      Maybe it'd be helpful to tell</p> <p>17      him which document you're looking at.</p> <p>18      MR. HAEFELE: It's throughout</p> <p>19      the documents there's the term.</p> <p>20      QUESTIONS BY MR. HAEFELE:</p> <p>21      Q. Is there a term -- is there use</p> <p>22      of the term "department" within Dallah Avco?</p> <p>23      A. In general, I mean, it's an</p> <p>24      organizational unit which will be taking care</p> <p>25      of -- you have finance department, you have a</p>

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<p>1       Wednesday.</p> <p>2       Q. I sort of got that.</p> <p>3       A. Okay. Just to be clear.</p> <p>4       Q. Thank you. All right.</p> <p>5       When we left off, we were</p> <p>6       talking about the position that had been</p> <p>7       assigned to Mr. -- or the title that had been</p> <p>8       assigned to Mr. Bayoumi of a senior data</p> <p>9       processing technician. And I believe that</p> <p>10       you had said, though, there is some job</p> <p>11       description that applied to that position for</p> <p>12       the ANSS project.</p> <p>13       It didn't matter to Dallah Avco</p> <p>14       whether or not Mr. Bayoumi met the</p> <p>15       qualifications for that job description,</p> <p>16       right?</p> <p>17       MR. SHEN: Objection to form.</p> <p>18       THE WITNESS: I don't think</p> <p>19       that it is Dallah's Avco to check that</p> <p>20       the title will match the job</p> <p>21       description. Maybe it's our role to</p> <p>22       check that this guy job description --</p> <p>23       the job description fits this guy.</p> <p>24       But are both of these matching</p> <p>25       allegedly the title, I don't think</p>	<p>1       that would normally take place throughout</p> <p>2       Dallah Avco employees who are assigned to do</p> <p>3       the recruitment.</p> <p>4       Q. Why is that?</p> <p>5       MR. KRY: Objection. Lack of</p> <p>6       foundation.</p> <p>7       THE WITNESS: What do you mean</p> <p>8       "why is that?"</p> <p>9       QUESTIONS BY MR. HAEFELE:</p> <p>10       Q. Well, you said it didn't apply</p> <p>11       from the context that he was assigned to the</p> <p>12       project on the direct request of the PCA, so</p> <p>13       he was not under the normal recruitment</p> <p>14       procedures that would normally take place</p> <p>15       throughout Dallah Avco employees.</p> <p>16       Why is it that he didn't fall</p> <p>17       under the normal recruitment procedures?</p> <p>18       MR. KRY: Objection. Lack of</p> <p>19       foundation.</p> <p>20       THE WITNESS: He proceed to the</p> <p>21       final stage of hiring. You won't -- I</p> <p>22       mean, you have a letter, formal</p> <p>23       letter, with the guy's name, with the</p> <p>24       position, with the salary, and it says</p> <p>25       hire this guy. So that's it.</p>
<p style="text-align: center;">Page 87</p> <p>1       it's our job.</p> <p>2       So if they say this job title</p> <p>3       is equal to this job description,</p> <p>4       well, it might logically be, yes,</p> <p>5       equal to it, or, no, it's not our job</p> <p>6       to check this thing, which, of</p> <p>7       course -- I mean, what we're relying</p> <p>8       on is the job description, not the job</p> <p>9       title.</p> <p>10       QUESTIONS BY MR. HAEFELE:</p> <p>11       Q. Ordinarily when you --</p> <p>12       A. However, for Mr. Bayoumi, this</p> <p>13       does not apply at all.</p> <p>14       Q. But ordinarily you would look</p> <p>15       to the job description that the PCA gave you</p> <p>16       to determine whether or not potential</p> <p>17       recruits had the qualifications to meet the</p> <p>18       job description, wouldn't you?</p> <p>19       A. Of course.</p> <p>20       Q. But that didn't apply in the</p> <p>21       case of Mr. Bayoumi?</p> <p>22       A. It didn't apply from the</p> <p>23       context that he was assigned to the project</p> <p>24       on the direct request of the PCA. So he was</p> <p>25       not under the normal recruitment procedures</p>	<p style="text-align: center;">Page 89</p> <p>1       So you don't go through</p> <p>2       checking -- you will put on record</p> <p>3       whatever paperwork he has, but you</p> <p>4       won't go and check and see candidates</p> <p>5       and assess which candidate is better</p> <p>6       and whatever normal recruitment</p> <p>7       procedure -- this is what I mean --</p> <p>8       and test them on it and check whatever</p> <p>9       that thing is to make sure that they</p> <p>10       really do -- what they say is true or</p> <p>11       something like that.</p> <p>12       So he'll go to the hiring, to</p> <p>13       the final stage. He's been hired.</p> <p>14       You only plug his information and put</p> <p>15       him on your system.</p> <p>16       QUESTIONS BY MR. HAEFELE:</p> <p>17       Q. So in the normal circumstances,</p> <p>18       Dallah Avco would look to see whether a</p> <p>19       recruit candidate met the job description</p> <p>20       that PCA provided, correct?</p> <p>21       A. Logically, yes.</p> <p>22       Q. And --</p> <p>23       A. I can't say that they did it or</p> <p>24       no, but logically, yes.</p> <p>25       Q. And in Mr. Bayoumi's</p>

23 (Pages 86 to 89)

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<p>1 circumstance, Dallah Avco -- I'll put quotes  2 around "recruited Mr. Bayoumi." Well, he --  3 Dallah Avco assigned Mr. Bayoumi a title  4 within the ANSS project because the Kingdom  5 of Saudi Arabia, the PCA, directed them to do  6 so?</p> <p>7 A. The PCA send a letter asking or  8 requesting or instructing Dallah Avco to  9 assign this person this position starting at  10 this date with this salary.</p> <p>11 Q. And Mr. Bayoumi, throughout his  12 secondment, had positions other than senior  13 data processing technician, correct?</p> <p>14 A. Correct.</p> <p>15 Q. And he held the position of  16 PCA/AE budget coordinator at one point.  17 Do you remember that?</p> <p>18 A. I could remember that, yeah.</p> <p>19 Q. And he held a position of  20 senior DSS programmer at one point, correct?</p> <p>21 A. Yes.</p> <p>22 Q. And he held a position of  23 assistant configuration specialist, or at  24 least the title he was assigned at some  25 point?</p>	<p>1 QUESTIONS BY MR. HAEFELE:  2 Q. So Dallah Avco was instructed  3 by the PCA to assign Mr. Bayoumi a given  4 title, and Dallah Avco complied?</p> <p>5 A. Correct.</p> <p>6 Q. Do you have an understanding  7 from your investigation as to why Mr. Bayoumi  8 was treated differently?</p> <p>9 MR. KRY: Objection.</p> <p>10 THE WITNESS: We -- we can't --  11 I haven't seen any documents that I  12 could compare that he was treated  13 differently. I don't have anything to  14 show any comparison with anybody else.</p> <p>15 QUESTIONS BY MR. HAEFELE:  16 Q. Well, you yourself have  17 testified that the ordinary process was that  18 Dallah Avco would go out and make -- and  19 recruit people for a position.  20 In this instance Dallah Avco  21 was told this is the person that's going to  22 be given this title.</p> <p>23 A. This is the --</p> <p>24 Q. Do you know why that was -- do  25 you know why that circumstance was -- was</p>
<p style="text-align: center;">Page 91</p> <p>1 A. Yes. Yes.</p> <p>2 Q. And he was assigned the title  3 of a senior contract specialist at some  4 point, correct?</p> <p>5 A. Correct.</p> <p>6 Q. Now, are they each similar to  7 what you said about the senior data  8 processing technician?</p> <p>9 Are they each circumstances  10 where the PCA directed Dallah Avco to assign  11 Mr. Bayoumi those titles?</p> <p>12 A. Yes.</p> <p>13 Q. And so for each of those, it  14 didn't matter so much for Mr. Bayoumi's  15 purposes for -- or in the instance of  16 Mr. Bayoumi, it didn't matter whether  17 Mr. Bayoumi met the job qualifications for  18 those positions; it just mattered that the  19 PCA said give this guy this title?</p> <p>20 A. The instruction was there --</p> <p>21 MR. SHEN: Objection to form.</p> <p>22 THE WITNESS: -- and Dallah  23 Avco complied with this instruction,  24 yes.</p>	<p style="text-align: center;">Page 93</p> <p>1 so -- that it was different from the normal  2 process?</p> <p>3 A. It's --</p> <p>4 MR. SHEN: Objection to form.  5 Misstates the witness' testimony.</p> <p>6 MR. KRY: Objection.</p> <p>7 THE WITNESS: It's not  8 different in particular. Like I told  9 you, the contract allowed explicitly  10 for -- in the recruiting man clause to  11 process urgent requests. So the  12 contract would say this is not  13 different. This is a normal  14 procedure.</p> <p>15 If it were 100 percent came on  16 request, it would be normal. If  17 100 percent would come through the  18 recruitment, this is what I meant  19 normal.</p> <p>20 Most of them -- I can't say  21 that most of them, but the normal  22 recruitment procedure that everyone  23 understand is you go and look for  24 candidates. But within the context  25 and the wording of the contract,</p>

24 (Pages 90 to 93)

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<p>1       QUESTIONS BY MR. HAEFELE:</p> <p>2       Q. I'm not asking you about that.</p> <p>3       I'm asking whether or not there was an</p> <p>4       awareness that there's a job description and</p> <p>5       that there's no possible way that Mr. Bayoumi</p> <p>6       could perform any part of the job description</p> <p>7       while located in the United States.</p> <p>8       MR. KRY: Objection to form.</p> <p>9       MR. SHEN: Objection to form.</p> <p>10       MR. KRY: Objection. Calls for</p> <p>11       speculation. Also, that's a compound</p> <p>12       and very confusing question.</p> <p>13       MR. SHEN: I'm not even sure</p> <p>14       what the question is.</p> <p>15       QUESTIONS BY MR. HAEFELE:</p> <p>16       Q. Is there any part of this job</p> <p>17       description that Mr. Bayoumi could have</p> <p>18       performed from the United States?</p> <p>19       MR. KRY: Objection. Calls for</p> <p>20       speculation. Lack of foundation.</p> <p>21       QUESTIONS BY MR. HAEFELE:</p> <p>22       Q. You can answer.</p> <p>23       A. If you look at the job</p> <p>24       description, I -- looking at the job</p> <p>25       description as a piece of paper, maybe you</p>	<p>1       QUESTIONS BY MR. HAEFELE:</p> <p>2       Q. Was it Dallah Avco's</p> <p>3       understanding that the purpose of Mr. Bayoumi</p> <p>4       being in the United States was for studies?</p> <p>5       A. This is what we have in the</p> <p>6       documents, yes.</p> <p>7       Q. And so for the duration of the</p> <p>8       time that he was in the United States, the</p> <p>9       purpose that he was in the United States was</p> <p>10       to perform or to engage in studies?</p> <p>11       A. This is what PCA document says.</p> <p>12       Q. And if the PCA document says</p> <p>13       that the purpose of him being in the United</p> <p>14       States was for studies --</p> <p>15       And he was in the United States</p> <p>16       for his studies for the duration of the time</p> <p>17       he was seconded, correct?</p> <p>18       A. Correct.</p> <p>19       Q. -- why was he given job titles</p> <p>20       for jobs that he was in the United States for</p> <p>21       the time period he was given those job</p> <p>22       titles?</p> <p>23       MR. KRY: Objection. Lack of</p> <p>24       foundation and calls for speculation.</p> <p>25       THE WITNESS: Ask the PCA.</p>
<p>1       would get to that conclusion. But did -- was</p> <p>2       it Dallah's Avco role or responsibility at</p> <p>3       any time to check each employee against his</p> <p>4       job description, I don't think so.</p> <p>5       And we were aware, to our</p> <p>6       knowledge, that he's continuing his studies.</p> <p>7       This is what PCA explicitly said that -- as a</p> <p>8       reason of his being in the United States.</p> <p>9       And even in his job offer,</p> <p>10       which is part of the process and procedure of</p> <p>11       hiring him, the employee should sign the job</p> <p>12       offer as acceptance. And you have</p> <p>13       handwriting of Alp Karli saying that this guy</p> <p>14       is in the United States, so we will be</p> <p>15       signing on his behalf.</p> <p>16       So this will -- this is the end</p> <p>17       of the process from our side.</p> <p>18       Q. I had referenced a series of</p> <p>19       jobs that Mr. Bayoumi had.</p> <p>20       Did Mr. Bayoumi perform any of</p> <p>21       the tasks of any of the jobs?</p> <p>22       MR. KRY: Objection. Lack of</p> <p>23       foundation.</p> <p>24       THE WITNESS: We don't know.</p>	<p>1       QUESTIONS BY MR. HAEFELE:</p> <p>2       Q. Who at the PCA would have that</p> <p>3       information?</p> <p>4       MR. KRY: Objection.</p> <p>5       THE WITNESS: Excuse me?</p> <p>6       QUESTIONS BY MR. HAEFELE:</p> <p>7       Q. Who at the PCA would have that</p> <p>8       information?</p> <p>9       MR. KRY: Objection. Lack of</p> <p>10       foundation.</p> <p>11       THE WITNESS: I don't know.</p> <p>12       QUESTIONS BY MR. HAEFELE:</p> <p>13       Q. Why were his job titles changed</p> <p>14       throughout the time period he was seconded in</p> <p>15       the various extensions if the only thing he</p> <p>16       was doing was his studies?</p> <p>17       MR. KRY: Objection. Lack of</p> <p>18       foundation.</p> <p>19       MR. SHEN: Objection to the</p> <p>20       form.</p> <p>21       THE WITNESS: Also ask the PCA.</p> <p>22       QUESTIONS BY MR. HAEFELE:</p> <p>23       Q. All right. But just to</p> <p>24       clarify, the role that he had throughout the</p> <p>25       time period he was seconded was as a student</p>

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<p>1       in the US?</p> <p>2       A. The role? What do you mean by</p> <p>3       "role"?</p> <p>4       Q. Well, the task that he</p> <p>5       performed was as a student, correct?</p> <p>6       A. The documents of the PCA</p> <p>7       indicates that he was continuing his studies,</p> <p>8       of course. This is what -- this is the</p> <p>9       knowledge that we have on documents.</p> <p>10      Q. During the break, next break,</p> <p>11      can you identify what documents you're</p> <p>12      relying upon for that information?</p> <p>13      A. Of course.</p> <p>14      Q. In the records there are a</p> <p>15      series of timesheets.</p> <p>16      Have you seen timesheets for</p> <p>17      Mr. Bayoumi?</p> <p>18      A. I have.</p> <p>19      Q. All right. And those</p> <p>20      timesheets bear the logo of Dallah Avco on</p> <p>21      them, right?</p> <p>22      MR. KRY: Objection.</p> <p>23      Misstatement and it's compound because</p> <p>24      there's many different timesheets.</p> <p>25      THE WITNESS: I need to check</p>	<p>1       A. Yes.</p> <p>2       Q. All right. So is this a Dallah</p> <p>3       Avco document?</p> <p>4       MR. KRY: Objection to form.</p> <p>5       THE WITNESS: It appears to</p> <p>6       have Dallah Avco letterhead.</p> <p>7       QUESTIONS BY MR. HAEFELE:</p> <p>8       Q. All right. And I note that</p> <p>9       Mr. Karli is the signature at the bottom.</p> <p>10      And Mr. Karli's a PCA employee,</p> <p>11      correct?</p> <p>12      A. Yes.</p> <p>13      Q. All right. Do you know why</p> <p>14      Mr. Karli would be signing a document on</p> <p>15      Dallah Avco's letterhead?</p> <p>16      A. I don't know for certainty, but</p> <p>17      what I expect is that these were given to</p> <p>18      them because they're working on their sites,</p> <p>19      so -- to designate the ANS project employees</p> <p>20      who are recruited by Dallah and who were in</p> <p>21      Dallah's payrolls and paperwork cycle.</p> <p>22      So they would fill it there and</p> <p>23      send it back to us so we -- I mean, for both</p> <p>24      of them to know that these are Dallah's,</p> <p>25      let's say, workforce under the ANS since we</p>
<p>1       the documents, but I've seen documents</p> <p>2       that were coming from PCA -- this is</p> <p>3       what I remember -- regarding</p> <p>4       Mr. Bayoumi. I don't remember they</p> <p>5       were under Dallah's letterhead.</p> <p>6       I've seen letters in Dallah's</p> <p>7       letterhead of the hiring and the</p> <p>8       changing of position, but I don't</p> <p>9       remember the timesheets were Dallah's</p> <p>10      papers.</p> <p>11      QUESTIONS BY MR. HAEFELE:</p> <p>12      Q. I'm going to ask you to pull</p> <p>13      up -- from the stack from yesterday's</p> <p>14      deposition, there's an item marked Khan 104.</p> <p>15      A. 104?</p> <p>16      Q. Yes. It looks like this.</p> <p>17      Yeah, it's right there. Right there.</p> <p>18      All right. Do you see</p> <p>19      Dallah --</p> <p>20      A. Yes.</p> <p>21      Q. -- Dallah Avco's letterhead at</p> <p>22      the top --</p> <p>23      A. Yes.</p> <p>24      Q. -- or logo of Dallah Avco at</p> <p>25      the top?</p>	<p>1       are dealing with the -- the processes -- part</p> <p>2       of it, their side, which we're not allowed to</p> <p>3       go, and they have to do the paperwork, and</p> <p>4       then it comes to us.</p> <p>5       Q. So Mr. Karli would work out the</p> <p>6       time entries for Mr. Bayoumi with</p> <p>7       Mr. Bayoumi, presumably?</p> <p>8       A. Excuse me?</p> <p>9       MR. KRY: Objection. Calls for</p> <p>10      speculation.</p> <p>11      MR. SHEN: Objection to form.</p> <p>12      QUESTIONS BY MR. HAEFELE:</p> <p>13      Q. All right. Would Dallah Avco</p> <p>14      communicate with Mr. Bayoumi to determine</p> <p>15      what time he had worked on a given day?</p> <p>16      A. No.</p> <p>17      Q. How would that come about?</p> <p>18      MR. KRY: Objection. Calls for</p> <p>19      speculation.</p> <p>20      MR. SHEN: Objection to form.</p> <p>21      THE WITNESS: We wouldn't --</p> <p>22      QUESTIONS BY MR. HAEFELE:</p> <p>23      Q. Pardon me?</p> <p>24      A. You asked would we communicate?</p> <p>25      Q. All right. How are the time</p>

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<p>1        Consulting Engineers."</p> <p>2                Did they move forward to</p> <p>3                contract with Ercan?</p> <p>4                MR. SHEN: Objection to form.</p> <p>5                THE WITNESS: We don't know if</p> <p>6                this refers to the ANS -- if I'm</p> <p>7                reading it, I think it's something</p> <p>8                else, so I don't know if they</p> <p>9                proceeded with those or no.</p> <p>10                But what was reflected in our</p> <p>11                side that Ercan was -- took after Avco</p> <p>12                Overseas some of the recruitment tasks</p> <p>13                that Avco Overseas were doing.</p> <p>14                QUESTIONS BY MR. HAEFELE:</p> <p>15                Q. And what --</p> <p>16                A. But I cannot say that the first</p> <p>17                paragraph refers to something that I know of.</p> <p>18                Q. Was Dallah Avco doing any</p> <p>19                recruitment in the US?</p> <p>20                A. I'm not aware of something like</p> <p>21                that. I'm not -- I mean, I can't remember</p> <p>22                reading something like that.</p> <p>23                Q. Okay. And the letter makes</p> <p>24                reference to Avco Overseas, and you mentioned</p> <p>25                Avco Overseas.</p>	<p>1                3 and 4 on that letter are identified as</p> <p>2                Airways Engineering personnel, so they're PCA</p> <p>3                individuals?</p> <p>4                MR. SHEN: Objection to form.</p> <p>5                THE WITNESS: I'm not sure I --</p> <p>6                this one?</p> <p>7                QUESTIONS BY MR. HAEFELE:</p> <p>8                Q. Yeah.</p> <p>9                A. Yeah. Yes, they're PCA</p> <p>10                individuals.</p> <p>11                Q. And one of them we know is --</p> <p>12                Mr. Karli was a PCA individual?</p> <p>13                A. Yes.</p> <p>14                MR. KRY: Time for a break</p> <p>15                maybe?</p> <p>16                MR. HAEFELE: A few more</p> <p>17                minutes.</p> <p>18                MR. KRY: Okay.</p> <p>19                (Kamel Exhibit 111 marked for</p> <p>20                identification.)</p> <p>21                QUESTIONS BY MR. HAEFELE:</p> <p>22                Q. Showing you what's been marked</p> <p>23                as Kamel 11 -- or 111, I'm sorry.</p> <p>24                MR. KRY: We just have an</p> <p>25                objection to the form of the document.</p>
<p style="text-align: center;">Page 131</p> <p>1                What's Avco Overseas?</p> <p>2                A. Yeah, my understanding is Avco</p> <p>3                Overseas is a -- some sort of an engineering</p> <p>4                company that entered into partnership with</p> <p>5                Dallah in the '70s to do some -- or handle</p> <p>6                some operation and maintenance projects, and</p> <p>7                they had a 50 percent share in the Dallah</p> <p>8                Avco Trans Arabia.</p> <p>9                So they were partners, and this</p> <p>10                partnership lasted until the '80s. I'm not</p> <p>11                sure what year where they sold their share</p> <p>12                back again to the group.</p> <p>13                And Dallah kept the name for a</p> <p>14                couple of years just under Dallah Avco, but</p> <p>15                then subsequently they just dropped the name.</p> <p>16                Q. What is the relationship</p> <p>17                between Avco Overseas or Dallah Avco, or what</p> <p>18                was the relationship between them?</p> <p>19                A. I think -- my understanding is</p> <p>20                that they provided engineering -- engineering</p> <p>21                services. Might that be equipment or</p> <p>22                consultancies or personnel. This is my</p> <p>23                general understanding.</p> <p>24                Q. And just for clarification, the</p> <p>25                individuals that are referenced in the 1, 2,</p>	<p style="text-align: center;">Page 133</p> <p>1                The notation on the bottom has been</p> <p>2                truncated on this copy.</p> <p>3                MR. NITZ: Actually, there's</p> <p>4                two different copies of it. You see</p> <p>5                there's a start of a handwritten</p> <p>6                notation. The one that's</p> <p>7                Bates-numbered DA001016 has the</p> <p>8                complete notation.</p> <p>9                MR. HAEFELE: I'm not sure --</p> <p>10                let me see, because I thought I had</p> <p>11                the same document.</p> <p>12                MR. NITZ: Right down there.</p> <p>13                It's cut off a little bit.</p> <p>14                MR. HAEFELE: That may be what</p> <p>15                he's looking at, too, though.</p> <p>16                MR. KRY: It is. Our point is</p> <p>17                just there's another -- the same</p> <p>18                document appears as per our own</p> <p>19                production but does not have that</p> <p>20                writing truncated, and so we'd suggest</p> <p>21                using the complete document.</p> <p>22                MR. HAEFELE: Oh. I think it's</p> <p>23                your document, not mine.</p> <p>24                MR. NITZ: It is. We produced</p> <p>25                two different versions.</p>

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<p>1 back to Kamel 113 --</p> <p>2 A. 13.</p> <p>3 Q. -- and you look at -- and you</p> <p>4 look at the second line down, you're going to</p> <p>5 see a number that's PR, purchase requisition,</p> <p>6 74598 A.</p> <p>7 Do you see that?</p> <p>8 A. I'm locating it. Second line</p> <p>9 in the body or in the --</p> <p>10 Q. Sorry, right here.</p> <p>11 A. Okay. Okay. Here? This one?</p> <p>12 PR 7, something, something</p> <p>13 5988?</p> <p>14 Q. 74598 A.</p> <p>15 A. Okay.</p> <p>16 Q. Do you see that?</p> <p>17 A. I see that, but I can't make</p> <p>18 the numbers in the middle. I see PR, but</p> <p>19 something, something, 5988. Okay.</p> <p>20 Q. All right. And then if you</p> <p>21 look at Kamel 114, special instructions, it</p> <p>22 says, "charge to PR 74598 A."</p> <p>23 A. Okay.</p> <p>24 Q. All right. Can we be clear now</p> <p>25 that this Exhibit Kamel 13 {sic} is the</p>	<p>1 KAIA air navigation project plus five economy</p> <p>2 class tickets, right?</p> <p>3 A. Right.</p> <p>4 Q. And the purchase requisition in</p> <p>5 Kamel 113 describes in the description area</p> <p>6 factory acceptance test for KAIA air</p> <p>7 navigation project, correct?</p> <p>8 A. Okay.</p> <p>9 Q. And underneath that, down here</p> <p>10 at the bottom it says, "Please provide five</p> <p>11 economy class roundtrip tickets," correct?</p> <p>12 A. This is the last one? This one</p> <p>13 here?</p> <p>14 Q. Yeah.</p> <p>15 A. Please provide five economy</p> <p>16 class trip tickets -- roundtrip tickets.</p> <p>17 Okay.</p> <p>18 Q. Yes?</p> <p>19 A. Okay.</p> <p>20 Q. Is that a yes?</p> <p>21 A. That is a yes.</p> <p>22 Q. All right. And in that same</p> <p>23 purchase requisition, there is a reference to</p> <p>24 American Language Institute.</p> <p>25 Do you know what that's for?</p>
<p>1 purchase requisition referenced in Kamel 114?</p> <p>2 A. Okay.</p> <p>3 MR. SHEN: Objection.</p> <p>4 Foundation.</p> <p>5 MR. KRY: Objection to form and</p> <p>6 foundation.</p> <p>7 THE WITNESS: Okay.</p> <p>8 QUESTIONS BY MR. HAEFELE:</p> <p>9 Q. Is it?</p> <p>10 MR. SHEN: Objection.</p> <p>11 Foundation.</p> <p>12 THE WITNESS: This is what it</p> <p>13 seems.</p> <p>14 QUESTIONS BY MR. HAEFELE:</p> <p>15 Q. All right.</p> <p>16 A. Okay.</p> <p>17 Q. And Kamel 113 is dated</p> <p>18 2 February '94, correct?</p> <p>19 A. Yes.</p> <p>20 Q. And Kamel 114 is dated</p> <p>21 03/04/94 --</p> <p>22 A. Yes.</p> <p>23 Q. -- correct?</p> <p>24 And the reference in the</p> <p>25 description is to factory acceptance test for</p>	<p>1 A. American Language, no.</p> <p>2 Q. All right. But Avco is</p> <p>3 facilitating getting that paid, correct?</p> <p>4 MR. SHEN: Objection.</p> <p>5 Foundation.</p> <p>6 THE WITNESS: Could you repeat</p> <p>7 the question?</p> <p>8 QUESTIONS BY MR. HAEFELE:</p> <p>9 Q. Sure.</p> <p>10 But Dallah Avco is performing a</p> <p>11 task --</p> <p>12 A. Right.</p> <p>13 Q. -- to get that purchase</p> <p>14 requisition paid, correct?</p> <p>15 A. Correct.</p> <p>16 MR. SHEN: Objection.</p> <p>17 Foundation.</p> <p>18 QUESTIONS BY MR. HAEFELE:</p> <p>19 Q. Is that right?</p> <p>20 A. Yes.</p> <p>21 (Kamel Exhibit 115 marked for</p> <p>22 identification.)</p> <p>23 QUESTIONS BY MR. HAEFELE:</p> <p>24 Q. Showing you what's been marked</p> <p>25 as 2267.</p>

40 (Pages 154 to 157)

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<p>1           2267 is -- I'm sorry, what's    2           the exhibit number on that?    3           MR. KRY: 115.    4           THE WITNESS: 115.    5           QUESTIONS BY MR. HAEFELE:    6           Q. Okay. Kamel 115 is a document    7           produced in litigation by Dallah Avco as    8           DA002267, and it is a letter from the PCA to    9           Avco Overseas Services/Textron, right? Yes?    10          A. Yes.    11          Q. And it's dated 30 March 1994,    12          correct?    13          A. Right.    14          Q. And does this document refer to    15          the same transaction that we just looked at a    16          moment ago?    17          MR. KRY: Objection.    18          Foundation.    19          MR. SHEN: Objection.    20          Foundation.    21          THE WITNESS: I don't see the    22          number. It has the American Language    23          Institute, but it doesn't have any    24          number to indicate that it is related    25          to those two.</p>	<p>1           Institute in the purchase requisition?    2           MR. SHEN: Objection to form.    3           MR. KRY: Objection to form.    4           MR. SHEN: Objection.    5           Foundation.    6           THE WITNESS: I can't say, I    7           mean, looking at this that they're    8           related. It's the same name, but we    9           can't say for sure. If they have the    10          same number, then we could be certain.    11          QUESTIONS BY MR. HAEFELE:    12          Q. Well, it's the same name and    13          the same time period related to the same Avco    14          Overseas and the Presidency of Civil    15          Aviation, right?    16          MR. KRY: Objection to form.    17          Foundation.    18          MR. SHEN: Objection to form.    19          MR. KRY: And it's    20          argumentative.    21          THE WITNESS: It doesn't has    22          the -- what do you call it -- the    23          purchase order number, and it doesn't    24          refer to the KAIA project test    25          factory, so you can't say that these</p>
<p style="text-align: center;">Page 159</p> <p>1           Okay. It's in close vicinity    2           of time.    3           QUESTIONS BY MR. HAEFELE:    4           Q. Is this a direction for --    5           A. Avco.    6           Q. -- Avco Overseas to make    7           payment for Mr. Al-Bayoumi's moneys for the    8           American Language Institute?    9           A. It does.    10          MR. SHEN: Object to form.    11          THE WITNESS: Yes.    12          QUESTIONS BY MR. HAEFELE:    13          Q. And does it indicate that the    14          PCA guarantees payment of that amount to Avco    15          Overseas using the ANSS 3 project account?    16          A. It does.    17          Q. And it also directs them to pay    18          living allowance up to 30 weeks for    19          Mr. Bayoumi's living expenses and invoice it    20          to the ANSS project account?    21          A. This is what it says, yeah.    22          Q. And do you have any reason to    23          believe that the reference to the American    24          Language Institute in Kamel 115 is unrelated    25          to the reference to the American Language</p>	<p style="text-align: center;">Page 161</p> <p>1           two are the same.    2           It only has -- shares the    3           American Language Institute, and,    4           therefore, you cannot say for sure    5           that it is the same. Okay.    6           QUESTIONS BY MR. HAEFELE:    7           Q. Are you aware of any other    8           individual that Dallah Avco facilitated    9           payments for the American Language Institute    10          other than Mr. Bayoumi?    11          MR. KRY: Objection to scope.    12          MR. SHEN: Objection to scope.    13          THE WITNESS: Dallah Avco did    14          not facilitate this. Avco Overseas    15          who facilitated. Avco Overseas then    16          reimbursed the invoice.    17          This is not Dallah Avco. This    18          is Avco Overseas.    19          QUESTIONS BY MR. HAEFELE:    20          Q. Well, didn't we just determine    21          that Kamel 13 {sic} was the purchase    22          requisition that was referenced in Kamel 114?    23          A. Yes.    24          MR. SHEN: Objection to form.</p>

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<p>1       QUESTIONS BY MR. HAEFELE:</p> <p>2       Q. And Kamel 113 includes the</p> <p>3       purchase requisition for payment of American</p> <p>4       Language Institute, correct?</p> <p>5       A. Yes.</p> <p>6       Q. Thank you.</p> <p>7            MR. SHEN: Objection to form.</p> <p>8            (Kamel Exhibit 116 marked for</p> <p>9            identification.)</p> <p>10      QUESTIONS BY MR. HAEFELE:</p> <p>11     Q. So I'm showing you what's been</p> <p>12     marked as Kamel 116. Kamel 116 is a document</p> <p>13     produced by Dallah Avco in the litigation as</p> <p>14     DA002261.</p> <p>15     A. Okay.</p> <p>16     Q. Would you agree with me that</p> <p>17     this is a Dallah Avco document?</p> <p>18            MR. KRY: Objection. Form.</p> <p>19      QUESTIONS BY MR. HAEFELE:</p> <p>20     Q. Is this a Dallah Avco document?</p> <p>21     A. Yes.</p> <p>22     Q. And is it dated August 8 of</p> <p>23     1994?</p> <p>24     A. Yes.</p> <p>25     Q. And it has the Dallah Avco</p>	<p>1       acceptance test for KAIA air navigation</p> <p>2       project, American Language Institute?</p> <p>3            MR. KRY: Misstates the</p> <p>4            document.</p> <p>5            THE WITNESS: Correct.</p> <p>6      QUESTIONS BY MR. HAEFELE:</p> <p>7       Q. What does the description</p> <p>8       indicate the charges are for?</p> <p>9       A. Afterwards it says being</p> <p>10      education expenses met by Avco Overseas</p> <p>11      Services Textron for Mr. Omar Al-Bayoumi at</p> <p>12      San Diego State University per documentation</p> <p>13      attached.</p> <p>14      Q. And why is it that Dallah Avco</p> <p>15      is describing these charges to the Kingdom</p> <p>16      and identifying an amount of \$4,775?</p> <p>17            A. Well, Dallah is not describing</p> <p>18            anything to the Kingdom. Dallah is</p> <p>19            describing to the PCA that it had a letter</p> <p>20            from Avco Overseas with that same</p> <p>21            description, with that amount of money, that</p> <p>22            was paid for that person doing that thing</p> <p>23            that's there, which is educational. And we</p> <p>24            are reimbursing -- reimbursing Avco according</p> <p>25            to that purchase order under those contract</p>
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<p>1       letterhead on it?</p> <p>2       A. Yes.</p> <p>3       Q. And it is a document addressed</p> <p>4       to the Kingdom of Saudi Arabia from Dallah</p> <p>5       Avco, correct?</p> <p>6       A. Excuse me?</p> <p>7       Q. It's a document addressed from</p> <p>8       Dallah Avco to the Kingdom of Saudi Arabia,</p> <p>9       right?</p> <p>10      A. For the PCA.</p> <p>11            MR. SHEN: Objection to form.</p> <p>12      QUESTIONS BY MR. HAEFELE:</p> <p>13     Q. It's addressed to the Kingdom</p> <p>14     of Saudi Arabia, Presidency of Civil</p> <p>15     Aviation, correct?</p> <p>16     A. Correct.</p> <p>17     Q. And is this a document</p> <p>18     describing charges for purchase requisition</p> <p>19     74598 A?</p> <p>20     A. Yes, correct.</p> <p>21     Q. And that is the same document</p> <p>22     that we looked at as Kamel 13 {sic}, correct?</p> <p>23     A. Yes.</p> <p>24     Q. And the reference in the</p> <p>25     description of charges are for the factory</p>	<p>1       name.</p> <p>2            So it's only stating the facts</p> <p>3       that were in the papers that were received,</p> <p>4       so --</p> <p>5       Q. Well, this is a -- this is a</p> <p>6       document dated an invoice -- I'm sorry,</p> <p>7       indicated to be an invoice dated August 8,</p> <p>8       1994, correct?</p> <p>9            A. Yes.</p> <p>10          Q. All right. And why is Dallah</p> <p>11          Avco invoicing the Kingdom of Saudi Arabia</p> <p>12          Presidency of Civil Aviation for that charge?</p> <p>13            A. Because at the end of the day,</p> <p>14            the contract, whatever payments that Dallah</p> <p>15            is -- Dallah Avco is, what, doing the</p> <p>16            contracts, executing the contract, in this</p> <p>17            case, I think, ANSS 33. So whatever expenses</p> <p>18            that would occur under that contract.</p> <p>19            And some of them within the</p> <p>20            contract wording are logistical services or</p> <p>21            whatever that are instructed, initiated by</p> <p>22            the PCA, so we would have to reimburse --</p> <p>23            invoice them so they could pay us. So they</p> <p>24            would have to pay us whatever we paid.</p> <p>25            And in this case it's a cycle</p>

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<p>1 that started with the PCA going to Avco and  2 asking them to pay to a third party, and then  3 Avco, at the request of PCA, invoicing Dallah  4 under such and such contract, which was  5 ANS 3. This is where the money will come  6 from. We will pay Avco, and then it will go  7 back again to the PCA telling them to pay us  8 this money.</p> <p>9 Q. So on the one end of the  10 transaction, there's the Kingdom's PCA that  11 is trying to get Mr. Bayoumi into the  12 American Language Institute in San Diego,  13 correct?</p> <p>14 A. Correct.</p> <p>15 MR. SHEN: Objection.</p> <p>16 Foundation.</p> <p>17 QUESTIONS BY MR. HAEFELE:</p> <p>18 Q. And on the other end there is  19 Avco that is making payments in the United  20 States to allow Mr. Bayoumi to participate in  21 this American Language Institute, correct?</p> <p>22 MR. KRY: Objection. Form.</p> <p>23 When you say "Avco," do you  24 mean Avco Overseas?</p> <p>25 MR. HAEFELE: Avco Overseas,</p>	<p>1 Then who should give us our  2 money?</p> <p>3 We send this to the PCA again,  4 completing the cycle, asking for our  5 money to be paid.</p> <p>6 QUESTIONS BY MR. HAEFELE:</p> <p>7 Q. Okay. Is the process of  8 secondment something that is a typical or an  9 irregular process that happens at Dallah  10 Avco?</p> <p>11 MR. KRY: Objection.</p> <p>12 THE WITNESS: It happens all  13 over.</p> <p>14 QUESTIONS BY MR. HAEFELE:</p> <p>15 Q. It happens all over, meaning  16 it's a commonality, it's a common thing that  17 happens?</p> <p>18 A. It's a common practice, yeah,  19 in the business world, in the education world  20 and...</p> <p>21 Q. And it's not something that's  22 unusual for Dallah Avco to address in looking  23 for personnel to fill positions or candidates  24 for recruitment?</p> <p>25 MR. KRY: Objection.</p>
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<p>1 yes.</p> <p>2 QUESTIONS BY MR. HAEFELE:</p> <p>3 Q. Correct?</p> <p>4 A. Yes, correct.</p> <p>5 Q. And then the necessary  6 connection between those two to get this  7 process completed is Dallah Avco to make that  8 transaction happen through the ANSS project?</p> <p>9 MR. KRY: Objection to form and  10 foundation.</p> <p>11 MR. SHEN: Objection.</p> <p>12 THE WITNESS: Not -- it was PCA  13 asking Avco to pay money for  14 Mr. Bayoumi's education.</p> <p>15 So Avco will say, "Why should  16 we pay him money, and where will we  17 get our money back?"</p> <p>18 So PCA is saying beforehand,  19 "You should invoice the project."</p> <p>20 Okay. So they do that. They  21 pay the money to the university, and  22 they invoice the project.</p> <p>23 The project, which is under  24 Dallah Avco, gets the invoice, pays  25 back Avco Overseas. Okay.</p>	<p>1 THE WITNESS: Excuse me?</p> <p>2 QUESTIONS BY MR. HAEFELE:</p> <p>3 Q. It's not something that's  4 unusual for Dallah Avco to address in looking  5 for candidates to fill positions, correct?</p> <p>6 MR. KRY: Objection to the  7 double negative.</p> <p>8 THE WITNESS: It is unusual or  9 usual?</p> <p>10 QUESTIONS BY MR. HAEFELE:</p> <p>11 Q. Well, is it unusual or is it  12 not unusual?</p> <p>13 MR. KRY: To --</p> <p>14 QUESTIONS BY MR. HAEFELE:</p> <p>15 Q. I took you to be saying it's  16 not unusual.</p> <p>17 A. It's -- no, it's not unusual.</p> <p>18 Ask me the question. Are we  19 doing it, or are we not doing it? I'm  20 confused when you say "unusual" or "usual."</p> <p>21 Rephrase it.</p> <p>22 Q. You frequently use secondment  23 in the process of filling positions or  24 recruitments for Dallah Avco's ANSS project?</p> <p>25 A. Not in particular, but it is a</p>

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<p>1 right?</p> <p>2 MR. KRY: Objection.</p> <p>3 Foundation.</p> <p>4 MR. SHEN: Objection.</p> <p>5 Foundation.</p> <p>6 THE WITNESS: Correct.</p> <p>7 QUESTIONS BY MR. HAEFELE:</p> <p>8 Q. Is that correct?</p> <p>9 A. Yes.</p> <p>10 Q. And one of the ways for Bayoumi to be seconded to the ANSS project was to demonstrate a need for him on the project, right?</p> <p>11 MR. KRY: Objection.</p> <p>12 Foundation.</p> <p>13 THE WITNESS: To mention a need.</p> <p>14 QUESTIONS BY MR. HAEFELE:</p> <p>15 Q. To mention a need?</p> <p>16 A. Yes.</p> <p>17 Q. And the letter at Kamel 121 does that, right?</p> <p>18 A. 121? Yes, it does.</p> <p>19 Q. But Dallah Avco had no need, correct?</p>	<p>1 A. Okay. Okay.</p> <p>2 Q. Based on the preparations you did for the deposition today, do you know what those are?</p> <p>3 A. They're pay advices for an employee to get paid.</p> <p>4 Q. Do you know where they were pulled from?</p> <p>5 A. I think they're an output of our system, Dallah's system, upon receiving of the paperwork that comes from the PCA's, let's say, supervisors or -- it's paperwork that comes to us, and it enters -- is inputted in our system, and the outcome is a pay advice because we were responsible to process the payments.</p> <p>6 Q. And did the documents that have been marked as Khan 103 relate to Omar Al-Bayoumi?</p> <p>7 A. They have his name.</p> <p>8 Q. Okay. And do you see -- do you see there are categories of payments on each of the pages?</p> <p>9 A. Yes.</p> <p>10 Q. And there's a category</p>
<p>1 Page 215</p> <p>2 A. Dallah Avco never had any need to anybody of this.</p> <p>3 Q. And if there was a need, the need was the PCA's need, correct?</p> <p>4 MR. SHEN: Objection.</p> <p>5 Foundation.</p> <p>6 THE WITNESS: Of course. It was the project need, which is a PCA need.</p> <p>7 MR. HAEFELE: Okay. At this point I'm going to turn the questioning over to Mr. Carter.</p> <p>8 DIRECT EXAMINATION</p> <p>9 QUESTIONS BY MR. CARTER:</p> <p>10 Q. Good afternoon, Mr. Kamel.</p> <p>11 A. Good afternoon.</p> <p>12 Q. I hope to be very brief.</p> <p>13 You were here yesterday for Mr. Khan's deposition, correct?</p> <p>14 A. Exactly.</p> <p>15 Q. And during his deposition, the plaintiffs marked as Khan 103 what appear to be a series of computer printouts, and I've just handed that to you.</p> <p>16 Do you see those?</p>	<p>1 Page 217</p> <p>2 identified as basic salary.</p> <p>3 Do you see that?</p> <p>4 A. Yes, I do.</p> <p>5 Q. During the period of Omar Al-Bayoumi's secondment, do you know who was responsible for determining what his basic salary would be?</p> <p>6 A. PCA would send the job title and the salary as well as the other allowances, and we turn it in.</p> <p>7 Q. Now, were all of the allowances determined by the PCA?</p> <p>8 A. Yes.</p> <p>9 Q. So that would be true for the housing allowance?</p> <p>10 A. Yes.</p> <p>11 Q. And would that also be true for the category identified as other allowance?</p> <p>12 A. Of course.</p> <p>13 Q. We had a discussion with Mr. Khan yesterday about what the "other allowance" category encompassed.</p> <p>14 Do you know what falls within the other allowance category?</p> <p>15 A. In general, it would be any</p>

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<p>1 other thing that is not housing allowance or  2 transportation allowance. Because, for  3 instance -- I'm not saying this about Bayoumi  4 or anybody else, but the project had 13  5 airports, so you would be having people  6 traveling from here to there, eating, moving,  7 lodging, maybe sending somebody to get some  8 experts, guests.</p> <p>9 So any other thing that is not  10 categorized as a housing allowance or, let's  11 say, a specifically mentioned allowance would  12 be under "other allowance." So it would be  13 many things. And like Mr. Khan said  14 yesterday, overtime would be another  15 allowance.</p> <p>16 Q. Did Dallah Avco itself have any  17 role in determining adjustments to  18 Mr. Bayoumi's salary or allowances?</p> <p>19 A. Not at all.</p> <p>20 Q. In its role as the paymaster,  21 did Dallah Avco issue the payments to the  22 ANSS employees for their compensation and  23 allowances?</p> <p>24 A. You mean as to pay them  25 directly, transfer it to them?</p>	<p>1 QUESTIONS BY MR. CARTER:  2 Q. Well, from whose account were  3 they sent?  4 A. From Dallah's account.  5 Q. And do I then understand that  6 Dallah would get reimbursed by the PCA?  7 A. Correct.  8 Q. But the wire transfer itself  9 would come from a Dallah account to Bayoumi's  10 account?</p> <p>11 MR. KRY: Objection.  12 THE WITNESS: Of course.</p> <p>13 QUESTIONS BY MR. CARTER:  14 Q. Early this morning I believe  15 you testified, and correct me if I am wrong,  16 I believe you testified that the ANSS  17 contract contemplated financial support for  18 certain students receiving training; is that  19 correct?</p> <p>20 A. I've seen document that shows  21 that.</p> <p>22 Q. Okay. And I believe in regard  23 to that issue, you referenced documents  24 involving the General Auditing Authority of  25 the Kingdom?</p>
<p style="text-align: center;">Page 219</p> <p>1 Q. Correct.  2 A. In any channel?  3 Yes.  4 Q. With regard to Mr. Bayoumi  5 specifically, do you know how he was paid?  6 A. I've seen many -- a couple of  7 ways. I've seen bank transfers, documents  8 showing that, and I've seen cash advices  9 where you -- somebody would come to take the  10 cash, and I've seen transfer of that same  11 amount going through Bayoumi's account.  12 And I've seen at his end of  13 service him giving a daily proxy to somebody  14 to come and -- we get to give him that cash.  15 So I've seen a couple of them.  16 Q. Okay. When you referred to  17 bank transfers, were you referring to wire  18 transfers?  19 A. Yes.  20 Q. And who was the party  21 responsible for initiating those wire  22 transfers?  23 MR. KRY: Objection.  24 THE WITNESS: Initiating or  25 processing?</p>	<p style="text-align: center;">Page 221</p> <p>1 A. Correct.  2 Q. And your counsel was kind  3 enough to identify the documents to which you  4 were referring, and I am marking them as  5 Kamel Exhibit 123, and they are Bates-stamped  6 DA1964 through 1970.  7 (Kame Exhibit 123 marked for  8 identification.)</p> <p>9 QUESTIONS BY MR. CARTER:  10 Q. I've marked the Arabic  11 documents along with an unofficial  12 translation your counsel provided to us,  13 subject to reservation of all privileges and  14 with the understanding that the translation  15 is not binding on the company.  16 With those clarifications, I'd  17 like to ask you a few questions about this.  18 A. Okay. Okay.  19 Q. Are those the documents you  20 were referencing earlier when you were  21 discussing --  22 A. Yes.  23 Q. -- the provisions of the  24 contract that contemplated financial support  25 for certain students?</p>

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<p>1 does it appear that the support level that  2 was being provided by -- to Bayoumi was well  3 beyond the limit referred to in the auditor's  4 report?</p> <p>5 MR. KRY: Objection.  6 Misleading.  7 MR. SHEN: Objection to form.  8 THE WITNESS: If it was the  9 student program, then it was  10 exceeding, but here it says housing  11 allowance, transportation allowance  12 and other allowance.  13 So it doesn't say this is  14 training allowance or student basic  15 training program allowance, so you  16 cannot say that these are exceeding  17 because you cannot connect them with  18 the allowance.</p> <p>19 QUESTIONS BY MR. CARTER:  20 Q. Okay. So it is not Dallah's  21 position that Omar Al-Bayoumi was a  22 student --  23 A. No.  24 Q. -- receiving training pursuant  25 to the provision of the contract we just</p>	<p>1 VIDEOGRAPHER: The time is now  2 3:24. Going off the record.  3 (Off the record at 3:24 p.m.)  4 VIDEOGRAPHER: Okay. The time  5 is now 3:32. Back on the record.  6 (Kamel Exhibit 125 marked for  7 identification.)  8 CROSS-EXAMINATION  9 QUESTIONS BY MR. KRY:  10 Q. Good afternoon.  11 A. Good afternoon.  12 Q. Mr. Kamel, I'm going to mark as  13 Exhibit 125 an excerpt from the ANSS 4  14 contract, Bates-numbered KSA2185 to 89.  15 In particular -- and if I can  16 direct your attention to the excerpt on page  17 4-2, Section 4-2-1-2, Recruitment  18 Responsibilities and Approval.  19 A. Okay.  20 Q. The first sentence of that  21 paragraph says, "The contractor shall be  22 entirely responsible for all aspects of the  23 recruitment process, subject only to prior  24 government approval of contractor-selected  25 candidates, except that the government may,</p>
<p>1 discussed?  2 A. Correct.  3 Q. Mr. Kamel, are you aware of any  4 other provisions of the ANSS contract that  5 contemplated the provision of financial  6 support to students?  7 MR. KRY: Objection.  8 MR. SHEN: Objection to form.  9 THE WITNESS: No.  10 QUESTIONS BY MR. CARTER:  11 Q. Are you aware of any other  12 written arrangement between Dallah Avco and  13 the PCA to provide financial support through  14 Dallah Avco to any student?  15 MR. KRY: Objection.  16 THE WITNESS: No.  17 MR. CARTER: That's all I have.  18 Thank you.  19 THE WITNESS: Thank you.  20 MR. HAEFELE: That's it for the  21 plaintiffs. Thank you. Thank you,  22 Mr. Kamel.  23 MR. KRY: Great. We'll have  24 some questions, if we can just take a  25 recess.</p>	<p>1 at its discretion, at any time, direct the  2 contractor to hire any individual or  3 individuals whom the government deems  4 suitable for employment under the contract."  5 Mr. Kamel, what's your  6 understanding of what that "except" clause  7 means in this provision?  8 A. My understanding is it's our  9 main responsibility to carry over all the  10 recruitment processes. However, it's always  11 under prior government approval of the  12 candidates.  13 So we will select the  14 candidates, normally, and they will go to the  15 government, who will approve them, and then  16 those will be passed to us.  17 However, sometimes there will  18 be certain cases where -- what is it? -- the  19 contractor to hire an individual or  20 individuals whom the government deems  21 suitable.  22 So if we get somebody directly  23 from our -- from the program with an explicit  24 instruction to hire him, we should comply  25 with that.</p>

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<p>1       Q. So in light of this provision,  2       would there be anything suspicious or unusual  3       in the course of Dallah Avco's administration  4       of this contract with the PCA or the ANSS  5       project requesting that a particular  6       individual be put on the project without  7       regard to the recruitment process that Dallah  8       Avco followed for many of the candidates?</p> <p>9            MR. HAEFELE: Objection to  10           form.</p> <p>11           THE WITNESS: Not at all.</p> <p>12           QUESTIONS BY MR. KRY:</p> <p>13           Q. And in light of this provision,  14           would there have been anything suspicious or  15           unusual from Dallah Avco's point of view with  16           the fact that the PCA or the ANSS project  17           directed that Omar Al-Bayoumi be hired as an  18           ANSS project employee?</p> <p>19           MR. HAEFELE: Objection. Form.</p> <p>20           THE WITNESS: Not at all.</p> <p>21           (Kamel Exhibit 126 marked for  22           identification.)</p> <p>23           QUESTIONS BY MR. KRY:</p> <p>24           Q. I'm going to mark as this next  25           exhibit, number 126, another contract</p>	<p>1       requests of recruitment.</p> <p>2           Q. And does this subsection D  3           require the contractor, being Dallah Avco, to  4           have a recruitment plan specifically  5           addressing those sorts of urgent requests?</p> <p>6           A. No.</p> <p>7           Q. Does -- does sec --  8           Section 2-81-2-3-1 states that the  9           recruitment plan shall describe how the  10           contractor proposes to, and then subsection D  11           says, "process urgent requests"?</p> <p>12           A. No.</p> <p>13           Q. If I can direct your attention  14           to the wording of the provision.</p> <p>15           A. To where?</p> <p>16           Q. 2-81-2-3-1.</p> <p>17           A. Okay.</p> <p>18           Q. The provision states, "The  19           recruitment plan shall describe how the  20           contractor proposes to, D, process urgent  21           requests."</p> <p>22           A. Okay.</p> <p>23           Q. In light of this provision, is  24           it your understanding that Dallah Avco from  25           time to time would receive urgent requests?</p>
<p style="text-align: center;">Page 235</p> <p>1       excerpt. This one's Bates-numbered KSA2109  2       and 2119 to 2122. This is also from the  3       ANSS 4 contract. And I want to direct your  4       attention to page 2-38, section  5       number 2-81-2-3-1, which is titled  6       "Recruitment Plan."</p> <p>7           A. Uh-huh.</p> <p>8           Q. And this section states, "The  9       recruitment plan shall describe how the  10       contractor proposes to, A, solicit  11       applications from candidates for employment  12       under the contract; B, determine the  13       suitability of applicants in terms of  14       qualifications, experience, personality and  15       legal eligibility; C, provide orientation to  16       successful applicants; and D, process urgent  17       requests."</p> <p>18           Mr. Kamel, what's your  19       understanding of the meaning of paragraph D  20       of this section?</p> <p>21           A. B or D?</p> <p>22           Q. D.</p> <p>23           A. D. D's -- it's making way for  24       direct requests coming from the -- from the  25       PCA to Dallah to hire -- to process urgent</p>	<p style="text-align: center;">Page 237</p> <p>1       MR. HAEFELE: Objection to  2       form.</p> <p>3           QUESTIONS BY MR. KRY:</p> <p>4           Q. To put particular people on a  5           project?</p> <p>6           A. This is what I understand, yes.</p> <p>7           Q. So in light of that provision,  8           would there be anything unusual or  9           questionable about receiving a request from  10           the PCA or the ANSS project on an urgent  11           basis?</p> <p>12           A. Not at all.</p> <p>13           MR. HAEFELE: Objection to  14       form.</p> <p>15           MR. MALONEY: Join.</p> <p>16           QUESTIONS BY MR. KRY:</p> <p>17           Q. In light of this provision,  18           would there be anything unusual or  19           questionable about receiving a request from  20           the PCA or the ANSS project referring to an  21           urgent need to have Al-Bayoumi on the  22           project?</p> <p>23           MR. HAEFELE: Objection to  24       form.</p> <p>25           THE WITNESS: No.</p>

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<p>1                   MR. KRY: Could we go off the 2 record one second?</p> <p>3                   VIDEOGRAPHER: The time is now 4 3:38. Going off the record.</p> <p>5                   (Off the record at 3:38 p.m.)</p> <p>6                   VIDEOGRAPHER: The time is now 7 3:40. Back on the record.</p> <p>8                   QUESTIONS BY MR. KRY:</p> <p>9                   Q. Mr. Kamel, do you remember 10 testifying earlier today about a letter that 11 was sent by Alawi Kamel to Al-Salmi at the 12 PCA requesting that Mr. Al-Bayoumi be 13 seconded to the ANSS project?</p> <p>14                  A. You're referring to the first 15 joining?</p> <p>16                  Q. Correct.</p> <p>17                  A. Yes, I do.</p> <p>18                  Q. And in the course of preparing 19 for your testimony today, were you given any 20 information about Alawi Kamel's understanding 21 at the time about who originated that 22 request?</p> <p>23                  A. I think it was originated by 24 the head of the project from Dallah's side, 25 and this -- this is normal process that is --</p>	<p>1                   was communicated to the witness 2 concerning knowledge that Alawi Kamel 3 had concerning the circumstances of 4 the letter.</p> <p>5                   QUESTIONS BY MR. KRY:</p> <p>6                  Q. And the document states, 7 "According to Mr. Kamel," being Alawi 8 Kamel --</p> <p>9                  A. Okay.</p> <p>10                 Q. -- "Samir Magboul, the ANSS 11 project director, prepared this letter to the 12 PCA requesting the PCA second Al-Bayoumi to 13 Dallah Avco. He knows this because the 14 letter contains Mr. Magboul's initials near 15 his signature. Mr. Kamel signed this letter 16 because it was directed at a high-level 17 minister, the President of Civil Aviation. 18 It would have been inappropriate to send a 19 high-level minister a letter signed by a 20 lower-level manager within Dallah Avco or the 21 ANSS project.</p> <p>22                 "Although the letter involves a 23 request from Dallah Avco to the PCA for the 24 secondment of Al-Bayoumi, Mr. Kamel explained 25 that PCA must have initiated this secondment</p>
<p style="text-align: center;">Page 239</p> <p>1 somebody at the specified department would 2 prepare the letter, and if it needed to be 3 addressed to a certain level of hierarchy in 4 the other party, then it will go to the equal 5 level from our side.</p> <p>6                  Q. I'm sorry, I think maybe there 7 was a miscommunication on the question. 8                  I wasn't referring to who 9 originated the process of composing the 10 letter. I was referring to who originated 11 the idea of having Al-Bayoumi seconded to the 12 ANSS project.</p> <p>13                  A. The first one, I haven't seen 14 any documents to show that -- where was it 15 originated, but it clearly shows in the 16 letter that the need was originated from the 17 ANS project. It clearly states that. 18                 (Kamel Exhibit 127 marked for 19 identification.)</p> <p>20                 MR. KRY: Okay. I'm going to 21 mark as an exhibit, number 127, a 22 document which I'll also provide to 23 counsel at this point. This is one of 24 the things that I'd referred to 25 earlier. It contains information that</p>	<p style="text-align: center;">Page 241</p> <p>1 because no one at Dallah Avco in 1995 knew 2 who Al-Bayoumi was. 3                 "Finally, Mr. Kamel understands 4 the reference in the letter to an urgent need 5 for Al-Bayoumi to refer to the PCA's urgent 6 need to have Al-Bayoumi placed on the ANSS 7 project."</p> <p>8                 Mr. Kamel, is this information 9 concerning the company's knowledge of a 10 former employee that was provided to you in 11 connection with your preparation for this 12 deposition?</p> <p>13                 A. It was.</p> <p>14                 Q. And are you aware of any reason 15 to believe that this information is 16 incorrect?</p> <p>17                 A. No. 18                 (Kamel Exhibit 128 marked for 19 identification.)</p> <p>20                 QUESTIONS BY MR. KRY:</p> <p>21                 Q. All right. Next document I'm 22 going to show you, which I'll mark as 23 Exhibit 128, is another document which we are 24 also providing to opposing counsel now. 25                 This was a document that was</p>

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<p>1 prepared by your counsel as a summary of  2 various other documents in Dallah Avco's and  3 the KSA's productions concerning a topic that  4 was the subject of a fair amount of  5 testimony today regarding Al-Bayoumi's status  6 and positions on the ANSS project.</p> <p>7 Do you recall reviewing this  8 document during the course of your  9 preparation to testify today?</p> <p>10 A. I do.</p> <p>11 Q. And so the chart has six  12 columns: effective date, ANSS contract,  13 Al-Bayoumi status, position, level and  14 reimbursement rate.</p> <p>15 And then it has various  16 effective dates down the left-hand side, and  17 then at the bottom it listed the source  18 documents that are referenced.</p> <p>19 The first effective date listed  20 here is June 6, 1995, and that indicates that  21 the position Omar Al-Bayoumi was assigned to  22 initially was senior data proc tech, level G  23 position.</p> <p>24 At the time of this initial  25 secondment, the ANSS contract in effect,</p>	<p>1 understanding that Mr. Al-Bayoumi's position  2 was changed from senior data proc tech to  3 PCA/AE budget coordinator on the same date  4 that Dallah Avco's ANSS contract rolled over  5 from ANSS 4 to ANSS 5?</p> <p>6 MR. KRY: Objection to form.</p> <p>7 THE WITNESS: The data -- the  8 documents show that this change  9 happened at the same time, yes.</p> <p>10 QUESTIONS BY MR. KRY:</p> <p>11 Q. So would there have been  12 anything surprising or unusual from Dallah  13 Avco's point of view that the PCA would  14 change an employee's position when Dallah  15 Avco was going from one ANSS contract to a  16 different ANSS contract?</p> <p>17 MR. HAEFELE: Objection to  18 form.</p> <p>19 THE WITNESS: No. No.</p> <p>20 QUESTIONS BY MR. KRY:</p> <p>21 Q. Do you recall earlier today  22 that there was some letter exchanges between  23 Alawi Kamel and Al-Salmi regarding whether to  24 renew Al-Bayoumi's secondment for the fifth  25 year, and that letter refers to Al-Bayoumi as</p>
<p style="text-align: center;">Page 243</p> <p>1 according to this chart, was number 3,  2 although I think number 4 came in effect soon  3 after.</p> <p>4 Is that information correct to  5 the best of your knowledge regarding  6 Al-Bayoumi's initial position?</p> <p>7 A. Yes.</p> <p>8 Q. And is it correct that at that  9 time Mr. Al-Bayoumi was on a secondment from  10 the PCA?</p> <p>11 A. Yes.</p> <p>12 Q. Now, this chart shows that  13 there was a change in Al-Bayoumi's status on  14 September 6, 1998, with a new position of  15 PCA/AE budget coordinator, a level G  16 position, and that that change also coincided  17 with the change from the ANSS 4 contract to  18 the ANSS 5 contract.</p> <p>19 Is that information on this  20 chart correct, Mr. Kamel?</p> <p>21 MR. HAEFELE: Objection to  22 form.</p> <p>23 THE WITNESS: Yes.</p> <p>24 QUESTIONS BY MR. KRY:</p> <p>25 Q. Mr. Kamel, is it your</p>	<p style="text-align: center;">Page 245</p> <p>1 an accounts supervisor?  2 Do you recall that earlier  3 exhibit?</p> <p>4 A. Yes.</p> <p>5 Q. And then does this chart  6 correctly indicate that during this time  7 period the technical name of his position was  8 budget coordinator?</p> <p>9 A. Yes.</p> <p>10 Q. And that that reference --</p> <p>11 MR. HAEFELE: Objection to  12 form.</p> <p>13 QUESTIONS BY MR. KRY:</p> <p>14 Q. -- to an account supervisor,  15 that that was actually a term that was in  16 Arabic that was then translated into English,  17 correct?</p> <p>18 MR. HAEFELE: Objection to  19 form.</p> <p>20 THE WITNESS: The Arabic had  21 account supervisor. In English  22 translation was accountant only.</p> <p>23 QUESTIONS BY MR. KRY:</p> <p>24 Q. Okay. And at a general level,  25 would the position of accountant be something</p>

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<p>1     dramatically different from the position of a 2     budget coordinator?</p> <p>3         MR. HAEFELE: Objection to 4         form.</p> <p>5         THE WITNESS: Dallah really 6         doesn't have to do anything 7         regardless.</p> <p>8     QUESTIONS BY MR. KRY:</p> <p>9         Q. This chart indicates that on 10      April 13, 2000, Al-Bayoumi's position was 11      changed to assistant config spec, a level F 12      position.</p> <p>13      And then in addition, there's 14      another document that shows with the same 15      effective date, April 13, 2000, Al-Bayoumi's 16      position was changed to senior DSS 17      programmer.</p> <p>18      And then there's an indication 19      on this chart that the first appointment was 20      superseded by the following one.</p> <p>21      Mr. Kamel, do you know whether 22      those two appointment letters from the PCA, 23      although they have the same effective date, 24      whether they had the same date that they were 25      transmitted from the PCA?</p>	<p>1         THE WITNESS: As the document 2         show, yes.</p> <p>3     QUESTIONS BY MR. KRY:</p> <p>4         Q. So would there have been 5         anything surprising or unusual about the fact 6         that the PCA changed Al-Bayoumi's position at 7         the same time he went from one status to 8         another status?</p> <p>9         MR. HAEFELE: Objection to 10        form.</p> <p>11         THE WITNESS: I agree it would 12        be the same for us.</p> <p>13     QUESTIONS BY MR. KRY:</p> <p>14         Q. All right. The final change 15        listed on this chart is September 6, 2001, 16        and in that one Al-Bayoumi is put on the 17        senior contract specialist position, which is 18        a level B position.</p> <p>19         And the chart indicates that 20        that is also the same date that Dallah Avco 21        rolled over from the ANSS 5 to the ANSS 6 22        contract.</p> <p>23         Is that correct, that this 24        change of position coincided with Dallah Avco 25        going from ANSS 5 to ANSS 6?</p>
<p style="text-align: center;">Page 247</p> <p>1         MR. HAEFELE: Objection.</p> <p>2         THE WITNESS: Do they have 3         what?</p> <p>4     QUESTIONS BY MR. KRY:</p> <p>5         Q. Were they sent on the same 6         date, or were they sent on different dates?</p> <p>7         A. The dates on them are one month 8         apart.</p> <p>9         Q. Okay. And so was it Dallah 10        Avco's understanding that according to those 11        two documents, the PCA originally wanted him 12        on one position but then sent a subsequent 13        notice that superseded that earlier one with 14        this other position?</p> <p>15         MR. HAEFELE: Form.</p> <p>16         THE WITNESS: Yes.</p> <p>17     QUESTIONS BY MR. KRY:</p> <p>18         Q. All right. This time period in 19        April and May of 2000, was that the same time 20        period in which Al-Bayoumi completed his 21        fifth-year secondment and then some weeks 22        later was put on educational leave by the -- 23        by the PCA?</p> <p>24         MR. HAEFELE: Objection to 25        form.</p>	<p style="text-align: center;">Page 249</p> <p>1         MR. HAEFELE: Objection to 2         form.</p> <p>3         THE WITNESS: It is.</p> <p>4     QUESTIONS BY MR. KRY:</p> <p>5         Q. And would there have been 6         anything surprising or unusual about the PCA 7         changing Al-Bayoumi's position when Dallah 8         Avco went from one contract to a different 9         contract?</p> <p>10         MR. HAEFELE: Objection to 11        form.</p> <p>12         THE WITNESS: No. No.</p> <p>13     QUESTIONS BY MR. KRY:</p> <p>14         Q. There's a column in this chart 15        for the level associated with these positions 16        and then the reimbursement rate associated 17        with those levels.</p> <p>18         Every time the PCA sent Dallah 19        Avco a letter directing Dallah Avco to put 20        Al-Bayoumi on a particular position, did 21        those letters indicate the level associated 22        with that position?</p> <p>23         A. It did.</p> <p>24         Q. And did ANSS contracts indicate 25        the reimbursement rates associated with those</p>

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<p>1       levels?</p> <p>2       A. Yes, it did.</p> <p>3       Q. So that was all information</p> <p>4       dictated by the terms of these communications</p> <p>5       from the PCA and from the terms of the</p> <p>6       contracts themselves?</p> <p>7       A. Yes.</p> <p>8       Q. Okay. We're done with that</p> <p>9       document.</p> <p>10       MR. HAEFELE: Excuse me.</p> <p>11       MR. KRY: We're done with that</p> <p>12       document.</p> <p>13       QUESTIONS BY MR. KRY:</p> <p>14       Q. Mr. Kamel, have you heard of</p> <p>15       the contracts finance and controls component?</p> <p>16       A. No.</p> <p>17       Q. CFC?</p> <p>18       A. CFC, yes.</p> <p>19       Q. And is that a component of the</p> <p>20       ANSS project?</p> <p>21       A. It is.</p> <p>22       Q. And is Alp Karli the head of</p> <p>23       that component?</p> <p>24       A. As the documents show, yes.</p> <p>25       Q. And so was Alp Karli an ANSS</p>	<p>1       Q. In the course of preparing for</p> <p>2       today's deposition, were you also given</p> <p>3       information about the knowledge of another</p> <p>4       former Dallah Avco employee, Ahmed Niazi?</p> <p>5       A. Yes.</p> <p>6       Q. Was Mr. Niazi formerly the</p> <p>7       director of finance at Dallah Avco?</p> <p>8       A. This is what the document says.</p> <p>9       Q. And as the director of finance,</p> <p>10       would Mr. Niazi have been familiar with the</p> <p>11       financial transactions involving, among other</p> <p>12       things, payment of payroll and reimbursement</p> <p>13       that Dallah Avco obtained for those payments?</p> <p>14       A. He should have.</p> <p>15       Q. Okay. I'm going to mark as --</p> <p>16       (Kamel Exhibit 129 marked for</p> <p>17       identification.)</p> <p>18       QUESTIONS BY MR. KRY:</p> <p>19       Q. All right. I've marked as</p> <p>20       Exhibit 129 a document which I'm provided to</p> <p>21       you now.</p> <p>22       Mr. Kamel, do you recognize</p> <p>23       this as information known to Ahmed Niazi that</p> <p>24       was provided to you in connection with</p> <p>25       preparing for this deposition?</p>
<p style="text-align: center;">Page 251</p> <p>1       employee?</p> <p>2       A. As the documents show, yes.</p> <p>3       Q. And as an ANSS employee, was</p> <p>4       Alp Karli's work directed and supervised by</p> <p>5       the PCA?</p> <p>6       A. Yes.</p> <p>7       Q. Are you a Saudi lawyer,</p> <p>8       Mr. Kamel?</p> <p>9       A. Am I a what?</p> <p>10       Q. A lawyer?</p> <p>11       A. No.</p> <p>12       Q. So are you here to give us any</p> <p>13       legal opinion about whether there was an</p> <p>14       employment relationship between any</p> <p>15       particular parties as a matter of Saudi law?</p> <p>16       A. No.</p> <p>17       Q. But is it your understanding</p> <p>18       that all of the ANSS employees, including</p> <p>19       people like Alp Karli, would have been</p> <p>20       directed and supervised by the PCA?</p> <p>21       A. This is what the contract</p> <p>22       explicitly says.</p> <p>23       Q. And so your understanding is</p> <p>24       that that's true of ANSS employees generally?</p> <p>25       A. Yes.</p>	<p style="text-align: center;">Page 253</p> <p>1       A. Yes.</p> <p>2       Q. And the second paragraph of</p> <p>3       this document says, "Under this arrangement,</p> <p>4       Dallah Avco was compensated for paying the</p> <p>5       salaries of all reimbursable employees. All</p> <p>6       man-month employees were reimbursable</p> <p>7       employees for whom Dallah Avco received</p> <p>8       compensation from the PCA, and Mr. Niazi does</p> <p>9       not remember any instances where Dallah Avco</p> <p>10       was not reimbursed."</p> <p>11       Is that information that was</p> <p>12       known to Mr. Niazi and that was provided to</p> <p>13       you in connection with preparing for this</p> <p>14       deposition as Dallah Avco's corporate</p> <p>15       representative?</p> <p>16       A. Yes.</p> <p>17       Q. And is it true to the best of</p> <p>18       your knowledge that the head of Dallah Avco's</p> <p>19       finance department is not aware of any</p> <p>20       instance where Dallah Avco paid compensation</p> <p>21       to an ANSS employee that was not reimbursed</p> <p>22       by the PCA?</p> <p>23       A. No. Well, the documents</p> <p>24       doesn't show any such instance.</p> <p>25       Q. Okay. So just to be clear for</p>

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<p>1 the record, to the best of your knowledge,  2 including the information you obtained from  3 Mr. Niazi, there was no instance where Dallah  4 Avco paid compensation to an ANSS employee  5 that was not reimbursed by the PCA?</p> <p>6 A. Correct.</p> <p>7 (Kamel Exhibit 130 marked for  8 identification.)</p> <p>9 QUESTIONS BY MR. KRY:</p> <p>10 Q. All right. One more document,  11 which I'm going to mark as 130. This is a  12 document Bates-numbered DA000899.</p> <p>13 MR. HAEFELE: That's Kamel 130?</p> <p>14 MR. KRY: It is Exhibit Kamel</p> <p>15 130. Thank you.</p> <p>16 QUESTIONS BY MR. KRY:</p> <p>17 Q. And then there's again a  18 translation on the back, subject to the same  19 stipulation we had earlier.</p> <p>20 Take a moment to review this  21 letter, but it relates to Social Security  22 payments for -- in connection with  23 Al-Bayoumi.</p> <p>24 A. Okay.</p> <p>25 Q. During the ANSS project, was</p>	<p>1 under the civil pension, not the social  2 insurance.</p> <p>3 Q. So is it your understanding  4 that even during the time he was seconded to  5 the ANSS project, Al-Bayoumi was considered a  6 public employee for purposes of his pension?</p> <p>7 A. This is what this letter  8 clearly says.</p> <p>9 Q. And as a result of this  10 communication, sometime later, and actually a  11 considerable time later, did Dallah Avco  12 eventually refund some of those withheld  13 pension payments to Mr. Al-Bayoumi?</p> <p>14 A. Yes, we did.</p> <p>15 MR. KRY: No further questions  16 for us.</p> <p>17 MR. SHEN: I have a few.</p> <p>18 VIDEOGRAPHER: The time is now  19 3:57. Going off the record.</p> <p>20 (Off the record at 3:57 p.m.)</p> <p>21 VIDEOGRAPHER: Okay. The time  22 is now 4:02. Back on the record.</p> <p>23 CROSS-EXAMINATION</p> <p>24 QUESTIONS BY MR. SHEN:</p> <p>25 Q. Mr. Kamel, my name is Andy</p>
<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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<p>1       Q. Okay. So does this refresh  2       your recollection as to whether you saw any  3       documents during your preparations in which  4       PCA officials provided direction to Dallah  5       Avco concerning Omar Al-Bayoumi's salary and  6       expense levels?</p> <p>7       MR. SHEN: Objection to form.</p> <p>8       THE WITNESS: It does, yes.</p> <p>9       QUESTIONS BY MR. CARTER:</p> <p>10      Q. Mr. Kamel, I've just handed you  11      an exhibit we marked yesterday as Khan 99.  12      Do you see that document?</p> <p>13      A. Yes, I do.</p> <p>14      Q. Are you familiar with this form  15      of document based on your preparations for  16      today's deposition?</p> <p>17      A. Slightly.</p> <p>18      Q. What do you understand this  19      document to be?</p> <p>20      A. It says "personal status  21      change," so it shows that changed from this  22      thing to that thing. And it shows basic  23      salary change; job title, same; contract  24      type, same; housing, same; transport, same.  25      So it's just instruction.</p>	<p>1       initiated Omar Al-Bayoumi's secondment?</p> <p>2       A. No.</p> <p>3       Q. And are you aware of any other  4       information or summaries of interviews that  5       address who was responsible for extending or  6       directing the extension of Omar Al-Bayoumi's  7       secondment?</p> <p>8       A. No.</p> <p>9       MR. CARTER: That's all I have.</p> <p>10      MR. KRY: I just have a couple  11      questions.</p> <p>12      VIDEOGRAPHER: The time is now  13      4:29. Going off the record.  14      (Off the record at 4:29 p.m.)</p> <p>15      VIDEOGRAPHER: Okay. The time  16      is now 4:31. Back on the record.</p> <p>17      RECROSS-EXAMINATION</p> <p>18      QUESTIONS BY MR. KRY:</p> <p>19      Q. Mr. Kamel, I'm going to show  20      you a document previously marked Exhibit 112.  21      This is the 1995 instruction from the PCA to  22      put Al-Bayoumi on the project.  23      And do you see where that  24      correspondence from the PCA identifies the  25      position as senior data proc tech and then</p>
<p style="text-align: center;">Page 283</p> <p>1       Q. Okay. And is this a document  2       pertaining to Omar Al-Bayoumi?</p> <p>3       A. It does.</p> <p>4       Q. And does this document indicate  5       a change is being made relative to Bayoumi's  6       compensation?</p> <p>7       A. It does.</p> <p>8       Q. And does the document identify  9       the reason for this change?</p> <p>10      A. Job title reason. I suppose  11      the instruction of the Director General PCA.</p> <p>12      Q. Okay. The Director General of  13      the PCA, do you know who that was at this  14      time period?</p> <p>15      A. I would suspect Al-Salmi.</p> <p>16      Q. Okay. And was he a PCA  17      employee?</p> <p>18      A. Yes, he is.</p> <p>19      Q. Mr. Kamel, are you aware of any  20      other information provided by former Dallah  21      employees pertaining to whether the PCA  22      initiated Omar Al-Bayoumi's secondment?</p> <p>23      A. No.</p> <p>24      Q. And are you aware of any other  25      summaries of interviews that address who</p>	<p style="text-align: center;">Page 285</p> <p>1       identifies a level as G?</p> <p>2       A. Okay. Okay.</p> <p>3       Q. Now, does that reference to  4       level G correspond to something in the ANSS  5       project? I'm sorry, in the ANSS contract?</p> <p>6       A. Yes, it does.</p> <p>7       Q. Does the ANSS contract specify  8       a pay rate or at least a reimbursement rate  9       associated with that position level?</p> <p>10      A. As the documents show, yes.</p> <p>11      Q. And so when Dallah Avco  12      receives an instruction like this from the  13      PCA, was that level assignment used as the  14      basis for Dallah Avco's determination of  15      things like the salary and the benefits that  16      would be paid to the employee?</p> <p>17      A. Yes.</p> <p>18      MR. KRY: Okay. No other  19      questions. Off the record.</p> <p>20      VIDEOGRAPHER: The time is now  21      4:32. Off the record.  22      (Off the record at 4:32 p.m.)</p> <p>23      VIDEOGRAPHER: Okay. The time  24      is now 4:33. Back on the record.</p> <p>25      RECROSS-EXAMINATION</p>

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKIn re TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

No. 03 MDL 1570 GBD FM

*This document relates to:  
All cases*ERRATA SHEET FOR THE  
RULE 30(b)(6) DEPOSITION OF AMMAR H. KAMEL,  
CORPORATE REPRESENTATIVE FOR DALLAH AVCO  
(January 24, 2019)

Page and Line	Current Text	Revised Text	Reason
21:13-14	somebody who has special knowledge something	somebody who has special knowledge about something	Clarification
41:10	attended and awarded	tendered and awarded	Transcription error
45:20-21	Dallah Avco is the owner of Dallah Trans Arabia.	Dallah Al Baraka is the owner of Dallah Trans Arabia.	Correction
46:6	Prince Ahmed bin Hamman	Prince Khalid Bin Abdullah Bin Abdulrahman Al Saud	Correction/Transcription error
60:9-12	I don't know if that was each period or this was the overall. My understanding that it was at any given time, but I might be wrong.	That was the total number overall.	Correction
86:18-19	I don't think that it is Dallah's Avco to check	I don't think that it is Dallah Avco's role to check	Clarification
90:7	The PCA send a letter	The PCA sent a letter	Clarification
93:10	the recruiting man clause	the recruitment plan clause	Clarification
114:11	What his abouts were	What his whereabouts were	Clarification
130:12	some of the recruitment tasks	some of the tasks	Clarification
131:7	50 percent share	15 percent share	Transcription error

*دفعت*

Page and Line	Current Text	Revised Text	Reason
143:22	should had his signature	should have had his signature	Clarification
145:25	A job offer to CFC	Send job offer to CFC	Conform to document
154:19	something, something, 5988	something, something, 598 A	Transcription error
164:25	under those contract	under that contract	Clarification
165:17	I think, ANSS 33	I think, ANSS 3	Clarification
215:1-2	Dallah Avco never had any need to anybody of this.	Dallah Avco never had any need for anybody on this project.	Clarification
219:13	giving a daily proxy	giving a proxy	Clarification
255:17-18	which he would be under our subordination.	which he would be under the civil service's subordination.	Clarification
282:20	personal status	personnel status	Transcription error
287:13	on the forms, and that is that are coming from PCA	on the forms, that are coming from PCA	Clarification
292:5	all datas are having signatures	all documents are having signatures	Clarification

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 31, 2019



\_\_\_\_\_  
Ammar Kamel